

department or agency which such person is advising or in which such department or agency is directly interested.

(July 26, 1947, ch. 343, title III, § 303, 61 Stat. 507; Aug. 10, 1949, ch. 412, § 10(c), 63 Stat. 585; Sept. 3, 1954, ch. 1263, § 8, 68 Stat. 1228; Aug. 10, 1956, ch. 1041, § 53(b), 70A Stat. 676, 684; 1958 Reorg. Plan No. 1, § 2, eff. July 1, 1958, 23 F.R. 4991, 72 Stat. 1799; Pub. L. 90-608, ch. IV, § 402, Oct. 21, 1968, 82 Stat. 1194; Ex. Ord. No. 11725, § 3, eff. June 29, 1973, 38 F.R. 17175; Ex. Ord. No. 12148, §§ 1-103, 4-102, July 20, 1979, 44 F.R. 43239; Pub. L. 97-89, title V, § 504, Dec. 4, 1981, 95 Stat. 1153; Pub. L. 100-453, title V, § 503, Sept. 29, 1988, 102 Stat. 1910; Pub. L. 108-458, title I, § 1071(a)(1)(U), Dec. 17, 2004, 118 Stat. 3689; Pub. L. 109-295, title VI, § 612(c), Oct. 4, 2006, 120 Stat. 1410.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act”, meaning act July 26, 1947, ch. 343, 61 Stat. 495, known as the National Security Act of 1947, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 405 of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2004—Subsec. (a). Pub. L. 108-458 substituted “Director of National Intelligence” for “Director of Central Intelligence” in two places.

1988—Subsec. (a). Pub. L. 100-453 substituted “Retired members of the uniformed services employed by the Director of Central Intelligence who hold no other office or position under the United States for which they receive compensation, other” for “Other” in last sentence.

1981—Subsec. (a). Pub. L. 97-89, § 504(a), substituted “at a daily rate not to exceed the daily equivalent of the rate of pay in effect for grade GS-18 of the General Schedule established by section 5332 of title 5” for “at a rate not to exceed \$50 for each day of service”.

Subsec. (b). Pub. L. 97-89, § 504(b), substituted “section 203, 205, or 207 of title 18” for “section 281, 283, or 284 of title 18”.

1956—Subsec. (a). Act Aug. 10, 1956, struck out “Secretary of Defense, the” after “The”.

1954—Act Sept. 3, 1954, amended section generally, substituting the “Director of the Office of Defense Mobilization” for “Chairman of the National Security Resources Board” in subsec. (a), and substituting “sections 281, 283, or 284 of title 18” for “sections 198 or 203 of title 18 or section 119(e) of title 41”.

1949—Subsec. (a). Act Aug. 10, 1949, inserted reference to National Security Council, and increased per diem payable to consultants from \$35 to \$50.

EFFECTIVE DATE OF 2004 AMENDMENT

For Determination by President that amendment by Pub. L. 108-458 take effect on Apr. 21, 2005, see Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 23925, set out as a note under section 3001 of this title.

Amendment by Pub. L. 108-458 effective not later than six months after Dec. 17, 2004, except as otherwise expressly provided, see section 1097(a) of Pub. L. 108-458, set out in an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of this title.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-89 effective Oct. 1, 1981, see section 806 of Pub. L. 97-89, set out as an Effective Date note under section 1621 of Title 10, Armed Forces.

TRANSFER OF FUNCTIONS

For abolition of Office of Defense Mobilization and its Director and transfers and delegations of their functions to Office of Emergency Planning, Office of Emergency Preparedness, President, Federal Preparedness Agency, Federal Emergency Management Agency, and Secretary of Homeland Security, see Transfer of Functions notes set out under section 3042 of this title.

National Security Council transferred to Executive Office of President by Reorg. Plan No. 4 of 1949, eff. Aug. 19, 1949, 14 F.R. 5227, 63 Stat. 1067. See note set out under section 3021 of this title.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

ADVISORY COMMITTEE MEMBERS AND PERSONNEL; PER DIEM COMPENSATION

Act June 24, 1948, ch. 632, 62 Stat. 648, which related to authority of former Chairman of National Security Resources Board to appoint advisory committee members and part-time advisory personnel at rates up to \$50 per day, was superseded by section 3073(a) of this title.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

§ 3074. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this chapter (other than the provisions and purposes of sections 3023, 3025, 3035, 3038 of this title and subchapters III, IV, and V).

(July 26, 1947, ch. 343, title III, § 307, 61 Stat. 509; Pub. L. 103-178, title III, § 309, Dec. 3, 1993, 107 Stat. 2036.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning act July 26, 1947, ch. 343, 61 Stat. 495, known as the National Security Act of 1947, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 411 of this title prior to editorial reclassification and renumbering as this section, and to section 171m of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1993—Pub. L. 103-178 inserted exception relating to sections 3023, 3025, 3035, and 3038 of this title and subchapters III, IV, and V.

§ 3075. “Function” and “Department of Defense” defined

(a) As used in this Act, the term “function” includes functions, powers, and duties.

(b) As used in this Act, the term “Department of Defense” shall be deemed to include the military departments of the Army, the Navy, and the Air Force, and all agencies created under title II of this Act.

(July 26, 1947, ch. 343, title III, § 308, 61 Stat. 509; Aug. 10, 1949, ch. 412, § 12(e), 63 Stat. 591.)

PARTIAL REPEAL

Pub. L. 87-651, title III, § 307, Sept. 7, 1962, 76 Stat. 526, repealed subsection (a) of this section less its applicability to sections 3002, 3021, 3023, 3042, and 3073 of this title.

REFERENCES IN TEXT

This Act, referred to in text, means act July 26, 1947, ch. 343, 61 Stat. 495, known as the National Security Act of 1947, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

Title II of this Act, referred to in subsec. (b), means title II of the National Security Act of 1947, act July 26, 1947, ch. 343, 61 Stat. 499. Section 201(d) of title II was formerly classified to section 408 of this title prior to editorial reclassification and renumbering as section 3005 of this title. Sections 205(c), 206(a), and 207(c) of title II were formerly classified to section 409 of this title prior to editorial reclassification and renumbering as section 3004 of this title. For complete classification of title II to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 410 of this title prior to editorial reclassification and renumbering as this section, and to section 171n of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1949—Subsec. (b). Act Aug. 10, 1949, substituted definition of “Department of Defense” for definition of “budget program”.

§ 3076. Separability

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the chapter and of the application of such provision to other persons and circumstances shall not be affected thereby.

(July 26, 1947, ch. 343, title III, § 309, 61 Stat. 509.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning act July 26, 1947, ch. 343, 61 Stat. 495, known as the National Security Act of 1947, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified as a note under section 401 of this title prior to editorial reclassification as this section.

§ 3077. Effective date

(a) The first sentence of section 202(a),¹ this section, and sections 3001, 3002, 3074, 3075, and 3076 of this title shall take effect July 26, 1947.

(b) Except as provided in subsection (a), the provisions of this chapter shall take effect on whichever of the following days is the earlier: The day after the day upon which the Secretary of Defense first appointed takes office, or the sixtieth day after July 26, 1947.

(July 26, 1947, ch. 343, title III, § 310, 61 Stat. 509.)

REFERENCES IN TEXT

The first sentence of section 202(a), referred to in subsec. (a), means the first sentence of section 202(a) of act July 26, 1947, ch. 343, which was classified to section 171a of former Title 5, Executive Departments and Government Officers and Employees, prior to the enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

This chapter, referred to in subsec. (b), was in the original “this Act”, meaning act July 26, 1947, ch. 343, 61 Stat. 495, known as the National Security Act of 1947, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified as a note under section 401 of this title prior to editorial reclassification as this section.

SUBCHAPTER III—ACCOUNTABILITY FOR INTELLIGENCE ACTIVITIES

§ 3091. General congressional oversight provisions

(a) Reports to congressional committees of intelligence activities and anticipated activities

(1) The President shall ensure that the congressional intelligence committees are kept fully and currently informed of the intelligence activities of the United States, including any significant anticipated intelligence activity as required by this subchapter.

(2) Nothing in this subchapter shall be construed as requiring the approval of the congressional intelligence committees as a condition precedent to the initiation of any significant anticipated intelligence activity.

(b) Reports concerning illegal intelligence activities

The President shall ensure that any illegal intelligence activity is reported promptly to the congressional intelligence committees, as well as any corrective action that has been taken or is planned in connection with such illegal activity.

(c) Procedures for reporting information

The President and the congressional intelligence committees shall each establish such written procedures as may be necessary to carry out the provisions of this subchapter.

(d) Procedures to protect from unauthorized disclosure

The House of Representatives and the Senate shall each establish, by rule or resolution of

¹ See References in Text note below.